

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Lozano

H.B. No. 3310

A BILL TO BE ENTITLED

AN ACT

relating to deadlines for the claims appraisal process of the Texas  
Windstorm Insurance Association.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2210.574, Insurance Code, is amended by  
amending Subsection (d) and adding Subsection (d-1) to read as  
follows:

(d) If a claimant demands appraisal under this section:

(1) the appraisal must be conducted as provided by the  
association policy; ~~and~~

(2) the claimant and the association are responsible  
in equal shares for paying any costs incurred or charged in  
connection with the appraisal, including a fee charged under  
Subsection (e); and

(3) the appraisal must be completed within the period  
established under Subsection (d-1).

(d-1) In consultation with the association, the  
commissioner shall adopt rules establishing the period in which an  
appraisal demanded under this section must be completed. In  
adopting the rules, the commissioner shall:

(1) allow flexibility for an adequate investigation of  
the claim that is the subject of the appraisal; and

(2) consider the time necessary to preserve the  
independence of the appraisers.

1           SECTION 2. Not later than January 1, 2024, the commissioner  
2 of insurance shall adopt rules required by Section 2210.574,  
3 Insurance Code, as amended by this Act.

4           SECTION 3. Section 2210.574, Insurance Code, as amended by  
5 this Act, applies only to an appraisal demanded on or after January  
6 1, 2024. An appraisal demanded before January 1, 2024, is governed  
7 by the law in effect on the date the appraisal was demanded, and  
8 that law is continued in effect for that purpose.

9           SECTION 4. This Act takes effect September 1, 2023.

**ADOPTED**

MAY 19 2023

FLOOR AMENDMENT NO. 1

*Lacey Spaw*  
Secretary of the Senate

BY: *Mayer Middleton*

1 Amend H.B. No. 3310 (senate committee report) in SECTION 2 of  
2 the bill adding a rulemaking requirement (page 1, line 44), by  
3 striking "Not later than January 1, 2024, the" and substituting  
4 "The".

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 20, 2023**

**TO:** Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3310** by Lozano (Relating to deadlines for the claims appraisal process of the Texas Windstorm Insurance Association.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

Based on the analysis of the Department of Insurance, any duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 454 Department of Insurance

**LBB Staff:** JMc, SD, SZ, AAL, LBI

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 14, 2023**

**TO:** Honorable Charles Schwertner, Chair, Senate Committee on Business & Commerce

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3310** by Lozano (Relating to deadlines for the claims appraisal process of the Texas Windstorm Insurance Association.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

Based on the analysis of the Department of Insurance, any duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 454 Department of Insurance

**LBB Staff:** JMc, SZ, AAL, LBI

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**April 18, 2023**

**TO:** Honorable Tom Oliverson, Chair, House Committee on Insurance

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3310** by Lozano (relating to deadlines for the claims appraisal process of the Texas Windstorm Insurance Association.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

Based on the analysis of the Department of Insurance, any duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 454 Department of Insurance

**LBB Staff:** JMc, AAL, LBI

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**April 10, 2023**

**TO:** Honorable Tom Oliverson, Chair, House Committee on Insurance

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB3310** by Lozano (Relating to deadlines for the claims appraisal process of the Texas Windstorm Insurance Association.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

Based on the analysis of the Department of Insurance, any duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 454 Department of Insurance

**LBB Staff:** JMc, AAL, LBI